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Remarks/Arguments

The examiner in an Office Action dated 15 July 2003 rejected all the pending claims 1-15. As such this Office Action and the references cited therein have been carefully considered and this amendment is now presented in an effort to comply with Patent Office requirements and advance prosecution of the application.

The examiner rejected claims 1-8 and 10-15, under 35 USC 102, as being anticipated by Baumgarten et al. The examiner asserts that Baumgarten et al discloses: "motor ref 35... operatively coupled to the guide vanes continuously move the vanes back and forth..."

The applicant asserts that Baumgarten et al does not disclose a drive that **continuously moves** the guide vanes transversely back and forth as called for in the claims. Baumgarten et al moves the guide vanes to a selected position based on wind direction and leaves them in this position until the wind direction changes.

The examiner rejected claims 1-3, 9 and 13, under 35 USC 102, as being anticipated by Boehm et al. The examiner asserts that Boehm et al discloses: "a drive operatively coupled to the guide vanes continuously move the vanes back and forth in a transverse direction..."

Again the applicant asserts that Boehm et al does not disclose a drive that **continuously moves** the guide vanes transversely back and forth as called for in the claims. In fact Boehm et al does not disclose a drive at all. Furthermore, Boehm et al states that: "The adjustment bars 72, 74 are locked in any desired position relative to the channel member 52 to hold the guide plates 60 in the desired position." (column 2, line 68 and column 3 lines 1-2). The Boehm et al guide vanes are clamped in a desired position and are not continuously moved as called for in the claims.

The applicant objects to the examiner's position stated in paragraph 2 in the Office Action, that the limitations in claims 11-12 and 14-15 do not require examination because the applicant suggested they are known to persons skilled in the art. The applicant stated that based on the original disclosure a person having ordinary skill in the art would appreciate how the claimed invention would work in these conditions. The applicant did not concede the claimed inventions are known to persons skilled in the art.

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In conclusion, it is believed that this application is in condition for allowance, and such allowance is respectfully requested.

Any fees or charges due as a result of filing of the present paper may be charged against Deposit Account 04-0525. Two duplicates of this page are enclosed.

Respectfully,



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